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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,324	11/27/2000	Tomy K. Isaac	00-40323-US	5536
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REED SMITH LLP 2500 ONE LIBERTY PLACE 1650 MARKET STREET PHILADELPHIA, PA 19103			DUONG, THOMAS	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/723,324

Applicant(s)

ISAAC ET AL.

Examiner

Thomas Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-81 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-81 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the applicants Appeal Brief filed on September 7, 2005. *Claims 1-81* are presented for further consideration and examination.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
3. In view of the appeal brief filed on September 7, 2005, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

Response to Argument

4. Applicant's arguments, see pg.4–pg.8, filed on September 7, 2005, with respect to *claims 1-81* have been fully considered and are persuasive. The finality of previous rejection is withdrawn.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-24, 29-49, 54-71, and 76-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hubbard (US006745239B1), in view of Howard et al. (US006697865B1), and further in view of Cutler et al. (US005832274).

7. With regard to claims 1, 29, 54, and 76, Hubbard discloses,

- *extracting organizational information from at least two service providers to form at least two organizational information protocols, wherein one organizational information protocol corresponds to each of the at least two service providers;* (Hubbard, col.1, line 65 – col.2, line 48; col.4, lines 11-58; col.5, line 35 – col.6, line 28)

Hubbard teaches a method for migrating configuration settings wherein *“if the user does have an existing ISP relationship, the computer supplier contacts the ISP with which the user has a relationship and obtains configuration data associated with the existing ISP relationship”* (Hubbard, col.2, lines 9-12).

According to Hubbard, *“the configuration data may help to define some parameters of an existing ISP relationship. In one embodiment, each ISP relationship may have unique configuration data, which might allow the configuration data to identify a user associated with a given ISP relationship”* (Hubbard, col.4, lines 11-15). Hubbard discloses for *“a migration program may determine whether or not migration of configuration settings may be supported with the current customer (i.e., determine whether the customer’s existing computing system and/or ISP will support data migration)”* (Hubbard, col.4, lines 37-41). Hence, Hubbard discloses a method for migration configuration settings wherein the configuration data of one ISP is obtained from the particular ISP.

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- *accessing a first at least one of the at least two service providers upon selection of the migration selection interface by the user; (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28)*

Hubbard discloses a method for migration configuration settings wherein the configuration data of one ISP is obtained from the particular ISP.

- *receiving, according to the organizational information protocol correspondent to the first at least one of the at least two service providers, of a first plurality of information related to the user, upon said accessing a first at least one of the at least two service providers; (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28)*

Hubbard discloses a method for migration configuration settings wherein the configuration data of one ISP is obtained from the particular ISP.

However, Hubbard does not explicitly disclose,

- *providing a migration selection interface to a user;*

Howard teaches,

- *providing a migration selection interface to a user; (Howard, col.1, line 27 – col.2, line 23)*

Howard teaches a method for managing relationships of parties interacting on a network and, in particular, discloses *“the existence of the other of the parties is made apparent by inclusion of the other of the parties in a displayed list of parties with whom interaction is permitted, the displayed list being determined by the stored relationship information”* (Howard, col.1, lines 42-46). According to Howard, *“the permissions include a permission to be aware of the existence of specified other parties. The parties include individuals, groups of individuals, and*

commercial enterprises. The permitted interaction includes working together on a task, delivery of content, or one party accessing specified data that is associated with another one of the parties” (Howard, col.1, lines 49-55). Hence, Howard teaches of managing relationships of parties interacting on a network by displaying a list of parties with whom interaction is permitted; thus, making the existence of other participating parties known to the network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Howard with the teachings of Hubbard to “[enable] improvement of the performance of many other business processes that occur between and within companies. These improvements may take the form of reduction in the time required to execute... It can also improve the performance of processes that occur after a business transaction, including the execution of implementation projects, service, and support” (Howard, col.2, lines 12-20).

However, Hubbard and Howard do not explicitly disclose,

- *accessing a second at least one of the at least two service providers upon selection of the migration selection interface by the user;*
- *writing the second plurality of information to the second at least one of the at least two service providers according to the organizational information protocol correspondent to the second at least one of the at least two service providers.*

Cutler teaches,

- *accessing a second at least one of the at least two service providers upon selection of the migration selection interface by the user; (Cutler, col.3, line 11 – col.5, line 29)*

Cutler teaches *"a method for migrating a file system and access rights associated with the file system from a network operating system in a first environment to a network operating system in a second environment and reliably migrate all or a substantial amount of the information"* (Cutler, col.3, lines 11-16).

In addition, Cutler discloses that the method *"stores mapping information, including which objects in the second environment are associated with which objects in the first environment in a location accessible to other processes"* (Cutler, col.3, lines 24-27). Hence, Cutler teaches of a method for migrating data between two environments or entities by mapping or associating corresponding objects between the environments.

- *writing the second plurality of information to the second at least one of the at least two service providers according to the organizational information protocol correspondent to the second at least one of the at least two service providers.* (Cutler, col.3, line 11 – col.5, line 29)

Cutler teaches *"a method for migrating a file system and access rights associated with the file system from a network operating system in a first environment to a network operating system in a second environment and reliably migrate all or a substantial amount of the information"* (Cutler, col.3, lines 11-16).

In addition, Cutler discloses that the method *"stores mapping information, including which objects in the second environment are associated with which objects in the first environment in a location accessible to other processes"* (Cutler, col.3, lines 24-27). Hence, Cutler teaches of a method for migrating data between two environments or entities by mapping or associating corresponding objects between the environments.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Cutler with the teachings of Hubbard and Howard to “[reduce] the development time needed to create a migration tool, and also greatly increases the reliability and thoroughness of the data migrated” (Cutler, col.5, lines 12-14) between two environments or entities.

8. With regard to claims 2-5, 31-34, 55-58, and 77-81, Hubbard, Howard, and Cutler disclose,

- wherein the at least two service providers provide services in a service provision area. (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)
- wherein the service provision area is at least one selected from banking and financial services, email services, on line calendar and address book services, mysite.com pages, bill payment services, and application service providers. (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)
- wherein the banking and financial services are at least one selected from the group consisting of payment of a mortgage, a loan, a balance transfer, account balances, filling out of forms, credit checks, digital signal encryption, and login and password information. (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)
- wherein the mysite.com site is at least one selected from the group consisting of an ISP site, a wireless customization site, a shopping site, and an online trading

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site. (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

9. With regard to claims 6-13, 35-39, 45-46, 59-63, and 69, Hubbard, Howard, and Cutler disclose,

- *wherein the organizational information protocol includes a format and a location for the first plurality of information.* (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)
- *further comprising, upon said extracting, formatting the organizational information protocol for each service provider into an organizational information database organized by service provider.* (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)
- *wherein the organizational information protocol represents a manner of organization of the at least one service provider, information entry methods for the at least one service provider, and information extraction methods for the at least one service provider* (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)
- *wherein the organizational information protocol includes keys that precede the first plurality of information on the at least one service provider.* (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

10. With regard to claim 14, Hubbard, Howard, and Cutler disclose,

- *wherein the migration selection interface comprises at least one selected from the group consisting of a clickable icon, a button, a tile, an authorization box, an entry of a name, an entry of a password, an entry of personal information, and an entry of credit card information.* (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

11. With regard to claims 15, 40, and 64, Hubbard, Howard, and Cutler disclose,

- *wherein said accessing a first at least one service provider comprises entering a user name and password.* (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

12. With regard to claims 16-20, 41-44, and 65-68, Hubbard, Howard, and Cutler disclose,

- *wherein said normalizing is performed by an import coordinating service.*
(Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)
- *wherein said normalizing comprises sending, by the import coordinating service, of control messages, which control messages receive the first plurality of information according to the organizational information protocol.* (Hubbard, col.1, line 65 – co.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

13. With regard to claims 21-22, 47-48, and 70, Hubbard, Howard, and Cutler disclose,

- *wherein the first plurality of information includes personal information data and errors that occurred during said receiving of a first plurality.* (Hubbard, col.1, line

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65 – col.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

- *wherein the errors include information requested by said receiving that could not be located and information requested by said receiving that was not formatted according to the organizational information protocol.* (Hubbard, col.1, line 65 – col.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

14. With regard to claims 23-24, 49, and 71, Hubbard, Howard, and Cutler disclose,

- *wherein said denormalizing comprises sending export control messages that map the second plurality of information into a proper location on the second at least one service provider.* (Hubbard, col.1, line 65 – col.2, line 48; col.4, lines 11-58; col.5, line35 – col.6, line 28; Cutler, col.3, line 11 – col.5, line 29)

15. Claims 25-28, 50-53, and 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hubbard (US006745239B1), in view of Howard et al. (US006697865B1), in view of Cutler et al. (US005832274), and further in view of Burson et al. (US006405245B1).

16. With regard to claims 25-28, 50-53, and 72-75, Hubbard, Howard, and Cutler disclose,

See *claims 1, 29, and 54* rejection as detailed above.

However, Hubbard, Howard, and Cutler do not explicitly disclose,

- *further comprising billing the second at least one service provider for the user migrated to the second at least one service provider.*

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- *further comprising billing the user for the user migrated to the second at least one service provider.*

Burson teaches,

- *further comprising billing the second at least one service provider for the user migrated to the second at least one service provider. (Burson, col.14, lines 34-48; fig.11)*
- *further comprising billing the user for the user migrated to the second at least one service provider (Burson, col.14, lines 34-48; fig.11)*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Burson with the teachings of Hubbard, Howard, and Cutler to recover for the cost of providing a service to the client as well as the new service provider.

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)

November 28, 2005

~~Jason D. Cardone~~ 

Supervisory PE (AU2145)


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER